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**Wessinger-Hill, JoAnne**

**From:** Kate Lee <klee@selcsc.org>  
**Sent:** Monday, October 5, 2020 5:07 PM  
**To:** PSC\_Contact; Wessinger-Hill, JoAnne  
**Cc:** chad.burgess@dominionenergy.com; matthew.gissendanner@dominionenergy.com; Nelson, Jeff; Grube-Lybarker, Carri; Bateman, Andrew; Edwards, Nanette; richard@rlwhitt.law; Jamey Goldin google; Weston Adams; J. Blanding Holman; Belton T. Zeigler; bguild@mindspring.com; court.walsh@nelsonmullins.com; dori.jaffe@sierraclub.org; Hall, Roger; bsnowden@kilpatricktownsend.com; Gudrun Thompson; Kate Lee  
**Subject:** [External] Questions regarding Oct 12. hearing in Docket No. 2019-226-E

Ms. Wessinger Hill,

We are reaching out with some questions regarding the hearing in Docket No. 2019-226-E, set to begin next Monday, October 12. The Clerk's office directed us to send our questions to [contact@psc.sc.gov](mailto:contact@psc.sc.gov), so we have included that email address here in addition to copying the parties of record for this proceeding.

As an initial matter, will there be a pre-hearing technical conference scheduled for this week?

Second, while the hearing was postponed, we did not see an update to the original September 7 deadline for submitting any panel requests and the order of witnesses—when should parties share that information with the Commission and other parties? One of our witnesses has a conflict on October 15<sup>th</sup> that we would like to work around if possible.

And lastly, we would also appreciate any clarity regarding potential cross-examination exhibits and how they should be shared with Commission staff in advance of the virtual hearing.

Thank you, and we appreciate your guidance on these matters.

**Kate Lee**  
*Staff Attorney*  
**Southern Environmental Law Center**  
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**Wessinger-Hill, JoAnne**

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**From:** Wessinger-Hill, JoAnne  
**Sent:** Monday, October 5, 2020 5:56 PM  
**To:** chad.burgess@dominionenergy.com; matthew.gissendanner@dominionenergy.com; Nelson, Jeff; Grube-Lybarker, Carri; Bateman, Andrew; Edwards, Nanette; richard@rlwhitt.law; Jamey Goldin google; Weston Adams; J. Blanding Holman; Belton T. Zeigler; bguild@mindspring.com; court.walsh@nelsonmullins.com; dori.jaffe@sierraclub.org; Hall, Roger; bsnowden@kilpatricktownsend.com; gthompson@selcnc.org; klee@selcsc.org  
**Cc:** Wilson, Elise; Wessinger-Hill, JoAnne; Stark, David; PSC\_Contact  
**Subject:** Virtual Media Plan -- DN 2019-226-E (Dominion IRP) -- INFORMATION FOR VIRTUAL HEARING TEST RUN AND MORE  
**Attachments:** 2020-10-12\_DN\_2019-226-E\_PSC\_Virtual\_Hearing\_Media\_Plan.2020-10-05.xlsx  
**Importance:** High

Dear Parties of Record:

Attached is a copy of the Virtual Media Plan Spreadsheet. Please complete the information for you and your witnesses. Your information as counsel has been filled in the Spreadsheet; however, please check it for accuracy and to confirm that it will be the telephone number and email address that you will be using the during the course of the merits hearing in this matter.

**Spreadsheet Information Due No Later than 10:00 a.m. on Wednesday, October 7<sup>th</sup>:**

You will need to input the information for your witnesses information, email, skype address and telephone number for which they will be using and available when they are testifying. The information (email address, telephone number, skype account name/address, etc. must be provided no later than 10:00 a.m. on Wednesday, October 7<sup>th</sup>. Mr. Eskine cannot send you and your witnesses the information you need unless you provide the information we need.

**Preliminary Issues or Stipulations:**

If there are any preliminary issues or stipulations, please advise as soon as possible. We realize that matters and hearings are a fluid event. For example, proposed Orders due or about November 9<sup>th</sup>, 2020. The only witness known to have a time issue is one of the two witnesses for attorney Kate Lee on behalf of the Coastal Conservation League and Southern Alliance for Clean Energy, who must testify either Monday, October 12<sup>th</sup>, Tuesday, October 13<sup>th</sup> or Wednesday, October

14<sup>th</sup>. No one has objected to their witness testifying potentially out of order on either the 12<sup>th</sup>, 13<sup>th</sup>, or 14<sup>th</sup> to accommodate the merits hearing schedule change. The Commission will work to make this witness accommodation.

**Virtual Test or Run-Through – Thursday, October 8<sup>th</sup> between 1:00 p.m. and 2:30 p.m. – Respond with Availability or If Plan to Participate by 10:00 a.m. on Wednesday, October 7<sup>th</sup>:**

A Virtual Test or Run-Through with the Commission IT personnel can be held on Thursday, October 8<sup>th</sup> during the time period of 1:00 p.m. to 2:30 p.m. Please advise of your availability and that of your witnesses no later than 10:00 a.m. on Wednesday, October 7<sup>th</sup>, regarding availability for the test run or if plan to participate. At least one attorney per party and all of their witnesses need to be a part of the run-through UNLESS you and your witnesses have testified or participated in an Commission Virtual Hearing before or you do not want or need a run-through. Commission counsel will not participate in the run-through or test unless all parties are represented in the test by at-least one of their attorneys of record.

**Practices to Remember:**

Attorneys you are responsible for presenting your case and your witnesses, which includes reminding each witness to close their “video camera” on their computer screen once they are advised to step down from the witness stand by the Chairman during the hearing once their testimony and any question is complete.

Attorneys are asked to identify themselves when speaking/objecting or seeking to interject comments during the course of the virtual hearing proceeding so that the interjecting attorney is quickly called upon or seen by the Chairman, presiding officer, and Commissioners on screen. If you are called upon by the Chairman to address or comment, this is not necessary. It is necessary when you want to be called upon by the Chairman to comment, object, or otherwise which you would normally otherwise do in physical person by standing up or speaking up in the hearing room to get the attention of the Chairman or presiding officer.

Everyone must do their best not to talk over each other so that the Court Reporter can hear everyone one and accurately record the matter.

**Witness Order Due by noon on Wednesday, October 7<sup>th</sup>:**

Let us know no later than noon (12:00 p.m.) on Wednesday, October 7<sup>th</sup>, the Order of your witnesses. Attorney Lee please advise which witness needs the schedule accommodation (which I believe is Ms. Sommer). See above. Each witness will be presented individually and not in a panel. This does not prohibit you from allowing your witnesses to be in the same location as you. However, each witness will need their own laptop with camera and sound system, and due to audio feedback you will likely not want the witness to be in the same room but another nearby room. Otherwise, the sound system will pick up the feedback and cause issues and impair the ability for parties or the Commissioners to hear you or your witnesses.

### **General Procedure:**

The Virtual Hearing will be conducted just as if the parties were physically present in person in the Commission's hearing room. This is the general procedure which is also outlined below (but subject to change and adjust as needed by the Chairman or Commission during the course of the hearing to provide due process and develop the underlying record for the Commission to base a decision):

- (1) **Gather prior to the start of the hearing (at 9:00 a.m. virtually) ready with all witnesses to present case when Hearing called to order by the Chairman.** On Monday, October 12<sup>th</sup>, this is 9:00 a.m. The time may vary each day of the hearing and you are asked to plan to appear at least 40 minutes to one hour prior to the start time of the hearing. This means that all parties and their witnesses must virtually appear on their respective computers/telephones at 9:00 a.m. Mr. Erskine will have already sent an email or otherwise communicated with you on the method of media that will be used. If he has not or you have not received any email by Wednesday afternoon/evening, since the Test Run is scheduled for Thursday afternoon, please contact him and check your spam. Mr. Erskine can be reached at 803-896-5100 or 803-896-5104 and his email is [Randy.Erskine@psc.sc.gov](mailto:Randy.Erskine@psc.sc.gov).
- (2) **Advise the PSC Attorney (Mrs. Hill and/or Mr. Stark) of any preliminary matters that may have arisen.**
- (3) **Once the hearing is called to order by the Chairman of the Commission, this is the following general order:**

- a. Call to Order
- b. Reading of the Docket
- c. Roll call of the Commissioners
- d. Appearances (counsel introductions and party's represented)
- e. Preliminary matters
- f. Applicant DESC calls first witness and witness will be sworn (the Commission will be able to clearly see the witness)
  - i. One witness at a time (computer video camera must be on). All other witnesses must be ready and on standby to be called and ready to "cut on" or open computer video camera (buttons at bottom screen of computer).
  - ii. Upon conclusion of questions, corrections, and introduction of exhibits by company, then cross examination by other party and/or commissioners.
  - iii. Redirect (if any)
  - iv. Re-cross (if any re-direct)
  - v. Witness "steps down from witness stand" or is released and Witness shall cut off computer video camera.
  - vi. **NEXT WITNESS CALLED AND REPEAT ITEMS i.-v. ABOVE UNTIL ALL WITNESSES HEARD AND PARTY PRESENTS/CONCLUDES CASE.**
- g. Intervening Parties are called one at a time to present their case or witness(es). (Note: One witness for Coastal Conservation League and Southern Alliance for Clean Energy who had a conflict on the 15<sup>th</sup> or so will be called out of order to accommodate witness schedule)
- h. Intervenor will call first witness and witness will be sworn (the Commission will be able to clearly see the witness)
  - i. One witness at a time (computer video camera must be on). All other witnesses must be ready and on standby to be called and ready to "cut on" or open computer video camera (buttons at bottom screen of computer).
  - ii. Upon conclusion of questions, corrections, and introduction of any exhibits by ORS, then cross examination by other party and/or commissioners.
  - iii. Redirect (if any)
  - iv. Re-cross (if any re-direct)
  - v. Witness "steps down from witness stand" or is released and shall cut off computer video camera.

vi. NEXT WITNESS CALLED AND  
REPEAT ITEMS i.-v. ABOVE UNTIL ALL WITNESSES  
HEARD AND PARTY PRESENTS/CONCLUDES CASE.

h. Next Intervenor.

i. Closing Remarks (if any), including any evidentiary matters, motions, confirmation of exhibits and numbering, proposed orders due date; and other matters.

**(4) Conclusion of Virtual Hearing**

I hope that this information is helpful to you.

If you have any questions, please advise and remember to “REPLY ALL” so that every party to this Docket has the same information and to prevent and avoid any ex parte communication. Any e-mail message involving the Commission or Commission staff is also subject to the provisions of Commission Order No. 2019-748 in Docket No. 2019-329-A and shall be published in the docket for this matter.

Jo Anne

*Jo Anne Wessinger Hill*

**C. Jo Anne Wessinger Hill, Esq.**  
**General Counsel to the Commission**  
**Public Service Commission**

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staff is also subject to the provisions of Commission Order No. 2019-748 in Docket No. 2019-329-A and shall be published in the docket for this matter. If you have received this communication in error, please immediately notify us by telephone at (803) 896-5100.